

**SURVEY OF LANDS IN MISSISSIPPI AND LOUISIANA,
SOUTH OF 31st DEGREE OF LATITUDE.**

LETTER

FROM THE

SECRETARY OF THE TREASURY,

Transmitting the Information required by a resolution of the House of Representatives,
of the 19th inst. in relation to a

*Survey of the Lands lying South of the 31st degree
of Latitude,*

IN THE STATES OF MISSISSIPPI AND LOUISIANA.

DECEMBER 26, 1826.

Read, and referred to the Committee on the Public Lands.

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1826.

No. 1000
Treasury

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DEPARTMENT OF THE TREASURY

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TREASURY DEPARTMENT,

December 22, 1826.

SIR: In obedience to a resolution of the House of Representatives, of the 19th inst. "directing the Secretary of the Treasury to state to the House the causes that have prevented the Surveys of the Public Lands South of the 31st degree of latitude, in the States of Mississippi and Louisiana; and at what period it is expected the Surveys will be completed and the Lands brought into market," I have the honor to transmit a letter from the Commissioner of the General Land Office, dated the 20th December, 1826, and the documents to which it refers, which contain the information required by the resolution.

I have the honor to remain, with the highest respect, your most obedient servant,

RICHARD RUSH.

The Hon. the SPEAKER
of the House of Reps.

GENERAL LAND OFFICE,

20th December, 1826.

SIR: In compliance with a resolution of the House of Representatives, dated the 19th inst. in the following words: "*Resolved*, That the Secretary of the Treasury be directed to state to this House the causes that have prevented the surveys of the public lands South of the 31st degree of latitude, in the States of Mississippi and Louisiana, and at what period it is expected the surveys will be completed and the lands brought into market," and which has been referred to this office, I have the honor to state, that the following causes have had a tendency to retard the completion of the surveys of the public lands and private land claims South of the 31st degree of North latitude, in the States of Louisiana, Mississippi, and Alabama.

- 1st. A defective organization of the surveying department, as applicable to that section of country.
- 2d. The renewal, from time to time, of the several acts relative to the adjustment of private land claims.
- 3d. The detention of the books, records, and papers, by the late principal Deputy Surveyor, Silas Dinsmoor, who was removed from office in October, 1824.

On these several points. I beg leave to refer to the extracts from reports heretofore made by this office, marked Nos. 1, 2, and 3, and to the paper marked No. 4.

In that part of Louisiana East of the Mississippi river and South of the 31st degree of North latitude, the Commissioners have not yet made final reports in relation to private claims; it is believed that they are making due progress, and will close their reports within the period limited by law. The surveying of individual claims is progressing, but the returns of the township plats, which must be made previous to offering the lands at public sale, is delayed, in consequence of the second and third causes stated in this report.

In that part of Mississippi South of the 31st degree of North latitude, nearly all the public lands have been surveyed, but the private claims which have been confirmed, cannot be laid down on the township plats, and those plats examined by the Surveyor South of Tennessee, and returned to this office, so as to enable the President to proclaim the lands for sale, until the books, records, and papers, shall have been delivered by the late principal Deputy Surveyor, to the person appointed to fill that office.

In that part of Alabama South of the 31st degree of North latitude, a large portion of the public lands have been surveyed, but the same causes which operated in Mississippi have had their effect in preventing these lands from being prepared for sale; and, in addition to these

causes, it is desirable to place, by law, the surveying of the private claims in Alabama, under the entire control of the Surveyor for Alabama, the existing laws place the surveying of those claims South of the 31st degree of North latitude under the superintendence of one of the principal Deputy Surveyors for Louisiana.

The period when these surveys will be completed, must in a great measure depend upon the recovery of the books and records. I should presume, however, that within twelve months after their recovery, a portion of the public lands South of the 31st degree of latitude, in each of the States of Louisiana, Mississippi, and Alabama, may be prepared for sale, provided there is a due and vigorous execution of the duties of the surveying department, and provided the acts relative to private claims be not revived or prolonged.

All which is respectfully submitted,

GEO. GRAHAM.

The Hon. RICHARD RUSH,
Secretary of the Treasury.

No. 1.

Extract of a letter from the Commissioner of the General Land Office to the Secretary of the Treasury, dated Dec. 17, 1824.

"The act of the 21st of April, 1806, provides for the appointment of two principal Deputy Surveyors, with a salary of \$500 each, and certain fees of office, in the territory of Orleans, and the act of the 3d March, 1819, provides for an additional principal Deputy.

This organization of the Surveying Department, in Louisiana, was suggested with a view of accommodating the private claimants, and facilitating the surveying and patenting of their lands. If, however, we are to judge from results, it seems not to have been a happy one. A similar organization of the surveying department exists now in no other State; and in every other State or Territory where there have been private claims, and they extend to all, there has been no such delay and difficulties incident to the surveying and patenting of the private claims, as have occurred in Louisiana."

No. 2.

Extract of a letter from the Commissioner of the General Land Office, to the Honorable John Scott, dated December 19, 1825.

SIR: In reply to your letter of the 16th inst. enclosing two resolutions of the House of Representatives, the one relating to the expediency of erecting the State of Louisiana into a separate surveying district, and the other allowing compensation to the land officers, for

extra services performed under the act passed the 2d of March, 1821; I have the honor, in reference to the first resolution, to enclose you an extract from a report made to the Secretary of the Treasury, relative to the surveying district to which Louisiana is attached at present.

The surveying of the lands in Alabama, south of the 31° of north latitude, by a late act, was placed under the superintendence of the Surveyor for Alabama, but that act did not repeal the previous law, which had placed the surveying of the private claims, under the immediate superintendence of the principal Deputy Surveyor, appointed under the provisions of the 11th section of the act of the 3d March, 1819, vol. 6, page 434, whose powers extended to that District of country south of the 31° of latitude, and east of the Mississippi River, in the States of Louisiana, Mississippi, and Alabama.

Should it be deemed expedient to abolish the office of principal Deputy Surveyor, it will be necessary to make provision for placing the surveying of the private claims under the superintendence of the Surveyors of the respective States, and for the arranging and transporting the papers and records. The records in relation to the private claims in Alabama, south of the 31° of latitude, are deposited with the Register and Receiver of the Jackson Court House district in Mississippi, and with the principal Deputy Surveyor. Special provision will be required to be made in relation to them.

I have, in my report to the Secretary, suggested the propriety of making provision by law for compelling the officers to surrender up the public papers. It was made in consequence of the refusal of two of the principal Deputies, who had been superseded by the Surveyor south of Tennessee, to surrender the papers belonging to their office. In one case the papers have been obtained, but in the other they are yet withheld, on the plea that they form part of the vouchers of the account of the principal Deputy, which has not been settled.

No. 3.

Extract of a letter from the Commissioner of the General Land Office, to the Secretary of the Treasury, dated the 15th December, 1825.

“The surveying of the public lands has progressed regularly and satisfactorily, with the exception of the public lands and private claims in the State of Louisiana, and that part of Alabama south of the 31° of latitude. In this section of the country but little progress has been made in surveying the private claims, and such parts of the public lands as it is desirable to bring into market. A variety of causes has occasioned, and will continue to occasion, much embarrassment and difficulty in completing the surveying of this section of the country. Much of this embarrassment is attributable, however, to the extension of the laws for the adjustment of private claims in Louisiana, to the organization of the Surveying Department, and to the

difficulty of procuring Surveyors to survey the public and private lands, and to connect the private surveys which have been made, with the township lines, in certain portions of this section of the country, for the compensation allowed by law.

The surveying of the lands in Louisiana is, by the law, placed under the superintendence of the Surveyor South of the State of Tennessee, who resides at Washington, Mississippi, and the surveying of those in Alabama, south of the 31° of latitude, by a late act of Congress, was placed under the superintendence of the Surveyor for that State; but within this district of country there are three principal Deputy Surveyors, who are appointed by the Surveyor of the lands south of Tennessee; the duties and powers of one of which officers extends to the surveying of the private claims in that part of Alabama lying south of the 31° of latitude.

In a report made formerly from this office, and submitted to Congress, it was stated that this organization was defective, and further experience has confirmed that impression. It is, therefore, respectfully recommended that the offices of Surveyor of the lands south of Tennessee, and those of the principal Deputy Surveyors of Louisiana, be abolished; that a Surveyor be appointed for the State of Louisiana, whose duties and powers shall be limited to the surveying of the lands within that State; that a principal Deputy Surveyor be appointed for the State of Mississippi, invested with the powers, and who shall perform the duties required of the Surveyor south of Tennessee, in relation to the surveying of the lands within the limits of the State of Mississippi; that the surveying of all the lands south of the 31° of latitude in Alabama, be placed under the direction of the Surveyor for that State.

No. 4.

Extract of a letter from George Davis, Surveyor of the Lands South of the State of Tennessee, to the Commissioner of the General Land Office, dated the 24th of November, 1826.

“I have just heard that the principal Deputy Surveyor East of the Island of New Orleans, has at last obtained possession of the documents of that office, so long withheld by Colonel Dinsmoor.”